

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :
 : Hon. Stanley R. Chesler
 v. :
 : No. 09-cr-299 (SRC)
 JAMES CROSS and :
 SAMUEL GRAVES : ORDER FOR CONTINUANCE

An indictment charging defendants each with being a felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g)(1), having been filed on April 20, 2009; defendant JAMES CROSS having been represented by the Robert Olejar, Esq. and defendant SAMUEL GRAVES having been represented by Michael Gilberti, Esq.; and no bail having been set; and defendants and their counsel being aware that a trial must be held within 70 days of the filing of the indictment on this charge, pursuant to Title 18, United States Code, Section 3161(b); and two continuances having previously been granted by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), so that the parties could attempt to reach a plea agreement; the Government and defendants hereby request a third continuance pursuant to Title 18, United States Code, Section 3161(h)(7)(A) in order to permit the time necessary to afford the parties the opportunity to reach plea agreements which would thereby render trial of this matter unnecessary;

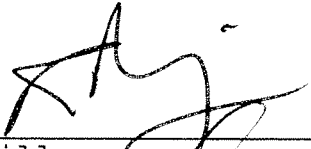
IT IS on this 3rd day of September, 2009

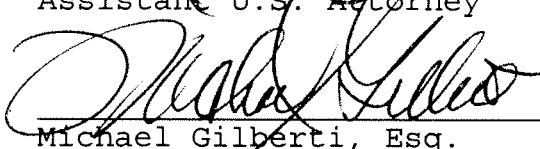
ORDERED that from the date this Order is entered, to and including November 17, 2009, shall be excluded in calculating the time within which a trial must be held under the Speedy Trial Act for the following reasons:

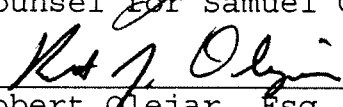
1. Plea negotiations currently are in progress, and both the United States and defendants desire additional time to negotiate pleas in Court, which would thereby render trial of this matter unnecessary.


2. Pursuant to Title 18, United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.

SEEN AND AGREED:



Rodney Villazor
Assistant U.S. Attorney

Michael Gilberti, Esq.
Counsel for Samuel Graves

Robert Olejar, Esq.
Counsel for James Cross

HONORABLE STANLEY R. CHESLER
United States District Chief Judge